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**UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA
 SAN FRANCISCO DIVISION**

In re:

PG&E CORPORATION

-and-

**PACIFIC GAS AND ELECTRIC
 COMPANY,**

Debtors.

Case No.
 No. 19-cv-05257-JD

**DEBTORS' STATEMENT REGARDING
 CLAIMS NOTICING PROCEDURES**

Bankr. Case No. 19-30088-DM

PG&E Corporation and Pacific Gas and Electric Company (together, "**PG&E**" or the "**Debtors**"), hereby submit this statement to provide the Court with additional information on the court-approved noticing procedures carried out by the Debtors to notify potential claimants of the October 21, 2019 deadline (the "**Bar Date**") and related procedures established by the Bankruptcy Court for filing claims, in light of the concerns expressed by the Court at the estimation proceeding status conference earlier this week.

1 The Debtors’ efforts to notify potential wildfire claimants were robust and
 2 designed to maximize both awareness and participation. As set forth below in more detail, the
 3 Debtors’ noticing procedures were approved by the Bankruptcy Court after a hearing and
 4 following extensive briefing by multiple parties, including the TCC, as the court-appointed
 5 fiduciary for the wildfire claimants, as well as the Ad Hoc Group of Subrogation Claim Holders
 6 (the “**Ad Hoc Subrogation Group**”), which represents the interests of insurance companies that
 7 have paid out several billion dollars in wildfire related claims. The proof of claim form adopted
 8 by the Debtors for wildfire claimants was created and approved by the TCC, and the wildfire
 9 subrogation claim form was adopted with the agreement of the Ad Hoc Subrogation Group.

10 More important than the forms, though, are the procedures adopted for the
 11 particular circumstances of the PG&E chapter 11 cases. The court-approved noticing procedures
 12 have been unprecedented in their breadth and scope, going far beyond the requirements of notice
 13 in a chapter 11 case. Indeed, the Bankruptcy Court agreed that the Debtors’ procedures are
 14 among the most robust ever. (June 26, 2019 Hr’g Tr. at 20:14-16.¹) The procedures consisted not
 15 only of traditional noticing methods and procedures, such as mailed and publication notices, but
 16 also included a broad social media campaign and extensive non-traditional outreach, including the
 17 establishment of claims service centers in the affected areas of California, in-person community
 18 outreach to over 230 organizations in the affected areas, and in-person, “boots-on-the-ground”
 19 outreach to FEMA temporary housing sites and other housing locations for individuals displaced
 20 by the fires. PG&E recognized that this was an unprecedented situation, and went to
 21 unprecedented lengths to get the word out.²

22 **A. The Bar Date Motion**

23 The Debtors filed their Bar Date Motion in the Bankruptcy Court on May 1, 2019.
 24 (Bankr. Dkt. No. 1784.) The motion sought to establish a deadline for filing claims, to establish
 25 the form and manner of notice of the Bar Date (the “**Bar Date Notice**”), and to establish

26 ¹ “Mr. Karotkin: This is the most robust plan that has ever been done.”

27 “The Court: It certainly seems to be that way.”

28 ² While this is not a matter merely of dollars and cents, for the Court’s information, the Debtors
 have spent more than \$11 million on Bar Date noticing efforts.

1 procedures for providing notice of the Bar Date to individuals and entities who may have claims
2 (the “**Noticing Procedures**”).

3 The Bar Date Motion, including the Noticing Procedures proposed in the motion,
4 was the subject of extensive briefing. Between May 16 and June 24, 2019, approximately 13
5 parties filed briefs setting forth their positions on the Bar Date Motion.³ In addition, on May 31,
6 2019, the TCC filed its own competing bar date motion. (Bankr. Dkt. No. 2297.) The TCC’s
7 motion itself was subject to extensive additional briefing.⁴ Prior to the Bankruptcy Court’s
8 hearing on the Bar Date Motion, the Debtors supplemented the proposed Noticing Procedures in
9 response to concerns expressed by various parties, including the TCC.

10 On June 26, 2019, the Bankruptcy Court held a hearing to consider both the
11 Debtors’ Bar Date Motion and the TCC’s competing motion. The hearing lasted more than three
12 and a half hours. (Bankr. Dkt. No. 2768.) Following the hearing, the Bankruptcy Court entered
13 an order (the “**Bar Date Order**”) granting the Debtors’ Bar Date Motion, denying the TCC’s bar
14 date motion, and approving the Debtors’ Noticing Procedures. (Bankr. Dkt. 2806.)

15 Since the entry of the Bar Date Order, the Debtors have carried out the Noticing
16 Procedures in accordance with the Bankruptcy Court’s order. The Debtors have been assisted in
17 these efforts by Prime Clerk, the court-appointed noticing agent for the PG&E chapter 11 cases.⁵

18 ³ See Bankr. Dkt. Nos. 2043 (Ad Hoc Subrogation Group), 2238 (State Farm Mutual Automobile
19 Insurance Company), 2239 (Public Entities Impacted by the Wildfires), 2240 (David Herndon et.
20 al as Interested Parties), 2242 (Fire Victims Creditors), 2248 (Singleton Law Firm Fire Victim
21 Claimants), 2256 (The Baupost Group, L.L.C.), 2306 (TCC), 2307 (California Department of
22 Toxic Substances Control), 2308 (Official Committee of Unsecured Creditors), 2316 (U.S.
23 Trustee), 2321 (Sonoma Clean Power Authority), 2324 (Northern California Power Agency),
24 2326 (City of San Jose), 2346 (The County of Placer), 2453 (Cazadero Community Services
25 District), 2621 (TCC), and 2739 (Lief Cabraser Wildfire Class Claimants).

23 ⁴ See Bankr. Dkt. Nos. 2603 (State Farm Mutual Automobile Insurance Company), 2627
24 (California Department of Toxic Substances Control), 2633 (David Herndon et. al as Interested
25 Parties), 2636 (Debtors and Debtors in Possession), 2646 (Debtors and Debtors in Possession),
26 2650 (Official Committee of Unsecured Creditors), 2654 (Public Entities Impacted by the
27 Wildfires).

25 ⁵ Prime Clerk, the Court-appointed noticing agent in these chapter 11 Cases, has significant
26 experience in a multitude of large and complex cases, including extensive experience serving as
27 claims and noticing agent in chapter 11 cases involving mass tort and class action claims. Prime
28 Clerk’s noticing efforts are overseen by Jeanne C. Finegan, APR, a nationally recognized expert
in the field of noticing in both bankruptcy and class actions.

1 **B. The Court-Approved Noticing Procedures**

2 The court-approved Noticing Procedures consist of multiple components. As
3 detailed below, those components included traditional forms of mailed and publication notices.
4 They also, however included an extensive campaign of non-traditional notice, including a “boots
5 on the ground” approach to community outreach with in-person visits to FEMA temporary
6 housing sites and other locations to distribute information and answer questions from potential
7 claimants.

8 The components of the court-approved Noticing Procedures were as follows:

9 **Mailed Notice.** The Debtors conducted a broad mailed notice campaign,
10 including mailing notice directly to approximately 50,000 known wildfire claimants and an
11 additional 17,000 potential wildfire claimants sourced from proprietary satellite data information
12 provided by a third party satellite data expert retained by the Debtors. In addition, the Debtors
13 mailed simple, plain-English notices individually to each of their 6.2 million customer accounts,
14 which, to state the obvious, included many wildfire claimants. These mailings were in addition to
15 the mailings that are traditionally made in chapter 11 cases, including mailings to:

- 16 • 150,000 Known and Potential Creditors and Contract Counterparties
- 17 • 225 Subrogation Claimants
- 18 • 11,300 Noteholders
- 19 • 111,000 Equity Holders; and
- 20 • 1,352 Brokerage Nominees.

21 **Publication Noticing.** The Bar Date Notice was published broadly in national and
22 local newspapers. The publication notice campaign included publication in three nationally
23 distributed magazines and two nationally circulated newspapers. In addition, the Bar Date Notice
24 was published three separate times in 27 local newspapers, including The Los Angeles Times,
25 San Francisco Chronicle, The Bakersfield Californian, The Fresno Bee, The Modesto Bee, The
26 Sacramento Bee, The Santa Rosa Press Democrat, The San Jose Mercury News, The East Bay
27 Times, The Stockton Record, The Paradise Post, and The Chico Enterprise-Record.

1 **Online Advertising.** In addition, the Debtors took out online advertising in
2 English and Spanish that served more than 45 million impressions. The online advertising was
3 targeted based on geography and target audiences' characteristics, such as having individuals that
4 had recently moved or previously lived in California. The Debtors also provided online notice
5 through advanced digital tactics such as keyword/term and contextual advertising, audience data
6 from national change of address registries, and geographical targeting to residents in the areas of
7 California affected by the wildfires. Banner ads were broadcast on approximately 4,000 web sites
8 and included displays on multiple devices, including desktop, tablet and mobile devices.

9 **Community Outreach.** In addition to print and online advertising, the Debtors
10 conducted extensive community outreach efforts throughout Northern California. Prime Clerk
11 personnel acting at the Debtors' direction personally contacted more than 230 community
12 organizations, religious organizations, business associations, school districts, charitable
13 foundations and disaster relief groups, among many others. Prime Clerk provided these
14 organizations with a plain language informational flyer in full color, printed in in English,
15 Spanish, Chinese, Vietnamese and Tagalog, to distribute to their members or the communities
16 they serve. In addition, representatives of the Debtors visited FEMA housing sites and other
17 temporary housing locations in-person to distribute flyers in English and Spanish and to answer
18 questions. Debtors' representatives also attended the Paradise Revival Festival, which was held
19 on October 12, specifically to help victims of the wildfires understand claims filing and Bar Date
20 issues. The Debtors staffed a table on "Recovery Row" from 11:00 a.m. to 8:00 p.m. and
21 distributed full-color flyers in English and Spanish.

22 **Claim Service Centers.** Prime Clerk established and staffed claims service
23 centers at PG&E's billing locations in Chico, Marysville, Oroville, Redding, Santa Rosa, and
24 Napa. Nearly 17,000 claims were filed at those centers.

25 **Targeted Social Media.** Prime Clerk carried out an extensive advertising
26 campaign on social media, resulting in more than 375 million social media impressions.
27 Facebook and Instagram advertisements were targeted to potential wildfire claimants by, among
28

1 other things, (a) targeting people who engaged with, talked about or shared content regarding the
 2 fires; (b) targeting FEMA housing locations geographically and to Paradise evacuation zone
 3 pages; (c) targeting followers of pages dedicated to survivors of the wildfires; and (d) targeting
 4 followers of awareness and support groups, community groups and other similar groups likely to
 5 have followers who are potential wildfire claimants, such as: (i) California Fire Foundation, (ii)
 6 Caring Choices, (iii) North Valley Community Foundation, (iv) United Way of Northern
 7 California, (v) Los Angeles Fire Department Foundation, (vi) Northern California Fire Relief
 8 Fund, (vii) California Wildfire Relief Fund, (viii) California Governor's Office of Emergency
 9 Services, (ix) United Way of Northern California, (x) houses of worship, and (xii) community
 10 leaders. Twitter posts were targeted to people who tweeted, posted about, or used hashtags or
 11 keywords related to the fires, including: (i) Butte fire (ii) #ParadiseStrong; (iii) Redwood fire,
 12 (iv) Nevada wildfire; (v) California wildfires, and (vi) #CampFire.

13 **Social Influencers.** Prime Clerk also engaged the help of social media influencers
 14 to post and share information about the Bar Date on Instagram and Facebook. The Noticing
 15 Program identified influencers with significant followings within the 18-24 age demographic and
 16 who either had personal experience with the wildfires, resided in California, or had a significant
 17 following in Northern California. This effort reached over 1,200,000 followers and resulted in
 18 nearly 20,000 social engagements (clicks, comments and shares).

19 **Television and Video Advertising.** The Debtors aired a total of 2,010
 20 commercials across approximately 14 local broadcast television stations, generating over 32
 21 million impressions and reaching wildfire claimants in seven relevant California counties. Prime
 22 Clerk additionally aired 2,025 commercials on local cable channels, generating over 8.5 million
 23 impressions. To reach wildfire claimants who may have moved out of California, Prime Clerk
 24 also ran 59 nationwide cable television commercials, generating over 105 million impressions.
 25 Prime Clerk also incorporated digital video advertisements on devices such as Roku, Amazon,
 26 Samsung and PlayStation targeted to people who recently had moved out of California, resulting
 27
 28

1 in nearly 1.5 million video impressions. The Debtors adopted these nationwide cable television
2 and digital video components at the suggestion of the TCC. (*See* Dkt. No. 2646 at 19.)

3 **Radio Advertising.** The Debtors aired approximately 2,680 radio ads on a total of
4 34 local radio stations. In addition, the Debtors ran streaming audio ads (*i.e.*, digital radio played
5 via an internet connection) on Pandora, accompanied by digital banner ads, allowing the user to
6 click through to a dedicated case web site. The Debtors ran over 1.5 million streaming audio
7 impressions with accompanied banner ads.

8 **Out of Home Advertising.** The Debtors secured 17 static or digital billboards in
9 Butte, Humboldt, Mendocino, Napa and Sonoma counties. The billboards appeared for nine
10 weeks and delivered more than 10.5 million impressions.

11 **Public Relations.** The Debtors issued a total of three press releases specific to the
12 Bar Date deadline as part of the Noticing Plan, resulting in over 270 news mentions.

13 **Dedicated Website and Toll-Free Numbers.** Prime Clerk established a
14 dedicated case web site and toll-free numbers that were prominently displayed on all printed
15 notice documents and paid advertising. The case website contained a page specifically tailored
16 to, and designed for, the holders of wildfire claims, including key dates and deadlines. The case
17 websites have received more than 850,000 page views.

18 Prime Clerk estimates that overall the Noticing Program reached approximately
19 98% of residents in four targeted designated market areas (San Francisco-Oakland-San Jose,
20 Sacramento-Stockton-Modesto, Chico-Reading and Eureka), with an average frequency of 16
21 times. More broadly, Prime Clerk estimates that the program reached 88% of California residents
22 with an average frequency of 11 times and 80% nationwide with an average frequency of 3 times.

23 * * *

24 In sum, this was much, much more than a direct mailing program. While it
25 certainly satisfied the requirements of due process, satisfying that legal standard was not the
26 Debtors' primary goal. Getting the word out as best as the Debtors could in admittedly difficult
27

1 circumstances was the goal. We hope that the Court finds the additional information set forth
2 herein to be useful.

3 Respectfully submitted,

4 Dated: October 23, 2019

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1 Pursuant to Local Rule 5-1(i)(3), I, Jane Kim, attest that concurrence in filing this document
2 has been obtained from the other signatories.

3
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